

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

UNITED STATES OF AMERICA,

v.

1:14-cr-30

GLENDON SCOTT CRAWFORD,

Defendant.

ORDER

Pending before the court is a letter request filed by Dan Levy, Reporter for WNYT-TV, seeking copies of certain video tape evidence presented during the course of trial. (Dkt. No. 99.) In response, the government has prepared a compact disc, filed under seal, with certain redactions and an application to unseal the disc if the redactions meet the court's approval. (Dkt. No. 101.) For the reasons articulated in the government's response to Levy's request, (*id.*), the government's sealed pre-trial request to limit public disclosure of certain trial evidence, (Dkt. Nos. 81-82), and the court's previous order permitting three FBI undercover agents to testify using pseudonyms, (Dkt. No. 87), the court grants Levy's request and unseals the compact disc prepared by the government in response to that request.

To the extent that the modifications made by the government in preparing the compact disc limit public access, the court is satisfied that the pixelation and redactions are essential to preserve higher values—namely, the preservation of undercover agents’ abilities to continue serving undercover in ongoing and future investigations, and public safety and security—and narrowly tailored to serve those interests. *See United States v. Aref*, 533 F.3d 72, 82-83 (2d Cir. 2008); *see also United States v. Strevell*, No. 05-CR-477, 2009 WL 577910, at *4 (N.D.N.Y. Mar. 4, 2009) (“[S]ome law enforcement interests are routinely accepted as higher values and countervailing factors [to public disclosure], including: . . . the protection of the confidentiality of sources; the safety of witnesses and police officers; . . . and, the protection of national security.”).

Accordingly, it is hereby

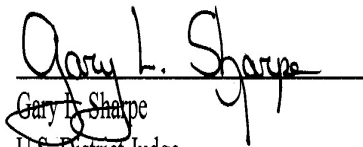
ORDERED that the Clerk is directed to unseal the pixelated, redacted video exhibits submitted by the government in response to WNYT-TV reporter Dan Levy’s request (Dkt. No. 101); and it is further

ORDERED that the original, un-pixelated, un-redacted video exhibits presented during the course of the trial are to remain under seal; and it is further

ORDERED that the Clerk provide a copy of this Order to the parties.

IT IS SO ORDERED.

September 21, 2015
Albany, New York



Gary L. Sharpe
U.S. District Judge